

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

JOE HAND PROMOTIONS, INC.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:23-cv-882 (RDA/WEF)
)	
RESTAURANT 54 LLC)	
d/b/a 54 Restaurant, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

This matter comes before the Court upon the Report and Recommendation (“Recommendation”) issued by Magistrate Judge William E. Fitzpatrick on July 10, 2024. Dkt. 22. In its Complaint, Plaintiff Joe Hand Promotions, Inc. (“Plaintiff”) brought two claims under the Communications Act of 1934, as amended, 47 U.S.C. § 151, *et seq.* against Defendants Restaurant 54 LLC d/b/a 54 Restaurant and John Le (collectively, “Defendants”). Magistrate Judge Fitzpatrick recommends that default judgment be entered against both Defendants and damages be awarded but for an amount less than Plaintiff requested. *Id.* at 1. Pursuant to Federal Rule of Civil Procedure 72(b)(2), the deadline for submitting objections to Magistrate Judge Fitzpatrick’s Recommendation was July 24, 2024. To date, no objections have been filed.

After reviewing the record and Magistrate Judge Fitzpatrick’s Recommendation, and finding no clear error,¹ the Court hereby APPROVES and ADOPTS the Recommendation (Dkt.

¹ See *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (in the absence of any objections to a Magistrate Judge’s Recommendation, the Court “need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation’”).

22). Accordingly, it is hereby ORDERED that Plaintiff's Motion for Default Judgment (Dkt. 13) is GRANTED; and it is

FURTHER ORDERED that Plaintiff be awarded statutory damages, including enhanced damages, in the total amount of \$11,445.00; and it is

FURTHER ORDERED that Plaintiff be awarded attorneys' fees in the amount of \$1,500.00; and it is

FURTHER ORDERED that Plaintiff be awarded costs in the amount of \$777.50; and it is


FURTHER ORDERED that Plaintiff be awarded post-judgment interest on its award in accordance with 28 U.S.C. § 1961.

Defendant Restaurant 54 LLC d/b/a 54 Restaurant and Defendant John Le shall be jointly and severally liable for the damages and fees awarded.

The Clerk is directed to enter judgment for Plaintiff in this matter pursuant to Federal Rule of Civil Procedure 55, forward copies of this Order to counsel of record, and close this civil action.

It is SO ORDERED.

Alexandria, Virginia
August 14, 2024

/s/ 

Rossie D. Alston, Jr.
United States District Judge